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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

EDJUAN C. SCOTT,	)	No. C 09-0720 LHK (PR)
)	
Plaintiff,	)	ORDER GRANTING
	)	PLAINTIFF’S EXTENSION OF
v.	)	TIME TO RESPOND TO
	)	DISCOVERY; DENYING
	)	DEFENDANTS’ MOTION FOR
OFFICER JOHN FORTNER, et al.,	)	DISCOVERY; DENYING
	)	DEFENDANTS’ MOTION FOR
Defendants.	)	SUMMARY JUDGMENT
	)	WITHOUT PREJUDICE

Plaintiff, a state prisoner proceeding *pro se*, filed an amended civil rights complaint pursuant to 42 U.S.C. § 1983. On September 16, 2011, Defendants filed a motion for discovery, stating that Plaintiff failed to respond to their discovery requests. On October 6, 2011, Plaintiff filed a letter to the Court, requesting that he receive a 90-day extension of time to respond to Defendants’ requests for discovery so that he can “avoid having [his] criminal case impeded by the civil case.” (Docket No. 36.) On October 31, 2011, Defendants filed a timely motion for summary judgment.

Plaintiff’s motion for an extension of time to file a response to discovery requests is GRANTED. Plaintiff shall file responses to Defendants’ outstanding requests for discovery no later than **60 days** from the date this order is filed. In light of this extension of time, Defendants’ motion for discovery is DENIED without prejudice as premature. Defendants’ motion for

1 summary judgment is also DENIED without prejudice to renewal once Defendants receive
2 Plaintiff's discovery responses.

3 Defendants shall file their renewed motion for summary judgment, or other dispositive
4 motion, no later than **120 days** from the date of this order. Plaintiff shall file his opposition **30**
5 **days** thereafter. Defendants shall file their reply **15 days** after Plaintiff's opposition is filed.

6 This order terminates docket numbers 34 and 37.

7 IT IS SO ORDERED.

8 DATED: 11/4/11


LUCY H. KOH
United States District Judge

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